

ORIGINAL

In the United States District Court
For the District of Hawaii

Anthony Nesbit
Plaintiff

CW 03.00455 SOM-KSC
Consolidated

vs.
State of Hawaii Dept
of Public Safety et al,
Defendants

Plaintiffs request leave of Court to
supplement their concise statement
of facts.

William J. Kotis
Plaintiff

CW 04-00167
Consolidated

SOM-KSC
FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

vs.
State of Hawaii Dept
of Public Safety et al,
Defendants

JAN 17 2006

at 4 o'clock and 25 min. PM
SUE BEITIA, CLERK

Come Now Plaintiffs Anthony Nesbit and William Kotis
pro se and in forma pauperis to request from this Honorable
Court to be able to add New Genuine issues of Material fact
(New Evidence) and add this to plaintiffs Concise statement of
facts and this New Evidence will be filed with this Honorable
Court no later than February 16, 2006

The New Evidence will only be added to the Concise state-
ment of facts and will comply with the rules for Concise state-
ment of facts.

Plaintiff Anthony Nesbit reviewing information that he
could be transferred to another prison facility at any time mailed
plaintiffs Opposition Jan 9, 2006. The reason for this is that
a inmate must mail all legal material and personal items he
has accumulated home or they will be destroyed also upon entering
a new prison facility. legal papers that are considered in excess
and personal items in excess are confiscated and held until they
are either approved or mailed home. This could and would
leave plaintiff with nothing to work with.

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Plaintiff having experienced this before understood that all his legal papers would and could be confiscated this includes legal materials used for reference prior pleadings, defendants motions and pleadings. Case Law Copies pens, pencils eraser, and all this on a moments notice would be required to be mailed home or face being thrown away as trash. This is done for security reasons from sending prison facility and receiving prison facility when transfers occur.

Plaintiff Anthony Nesbit understood this would and could extremely limit his ability to adequately litigate. Plaintiff then put together in a hurry plaintiffs Opposition and Concise statement of facts and mailed this January 2nd 2006.

Plaintiff is trying to explain to the Honorable Court some of the unforeseen and foreseeable problems plaintiffs and pro se inmates face. Plaintiff is still waiting for defendants Ordered discovery Materials and it is this New discovery Material plaintiffs wish to add only to their Concise statement of facts as if Yet this discovery Material has not been reviewed by plaintiffs.

Plaintiff understand their inadequacy in litigation and have tried to obtain Counsel without success. Plaintiff Anthony Nesbit has a school record that shows he completed the 6th grade only, Plaintiff did attend 7th grade but never completed this Plaintiff Anthony Nesbit is the only plaintiff in this Consolidated Complaint actively and vigorously litigating plaintiffs Complaint. Plaintiff pray the Honorable Court will take all this into consideration. Plaintiff believe their Complaint has Merit and involve important issues.

Respectfully Submitted

Date January 10th 2006

Anthony Nesbit
Plaintiff pro se

In the United States District Court
For the District of Hawaii

Anthony Nesbitt
Plaintiff

Civ. No. 03-00455 SOM-KSC
(Consolidated)

vs.
State of Hawaii Dept
of Public Safety, et al
Defendants

Certificate of Service

William J. Kotis
Plaintiff

Civil No. 04-00167 SOM-KSC
(Consolidated)

vs.
State of Hawaii Dept
of Public Safety, et al
Defendants

Certificate of Service

Plaintiffs declare that a foregoing true and correct
Copy of document herein was sent to Defendants
last known address via U.S. Mail postage pre paid

Dept of Attorney General
John M. Gregor
425 Queen Street
Honolulu, Hawaii 96813
Attorney for Defendants

Date January 10th 2006

Anthony Nesbitt
Plaintiff prose